



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 416** HLS 11RS 237
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: May 25, 2011	7:10 PM	Author: LOPINTO
Dept./Agy.: Corrections		
Subject: Parole Eligibility		Analyst: Matthew LaBruyere

PAROLE EG DECREASE GF EX See Note Page 1 of 1
Amends timing of parole eligibility for certain offenders

Present law provides that an offender, otherwise eligible for parole, convicted of a first felony offense shall be eligible for parole upon serving one-third of the imposed sentence. Upon conviction of a second felony offense, the offender shall be eligible for parole upon serving one-half of the sentence imposed. A person convicted of a third or subsequent offense is not eligible for parole.

Proposed legislation amends present law so that notwithstanding the provisions of present law, an offender, otherwise eligible for parole, convicted of a first felony offense shall be eligible for parole upon serving 25% of the sentence imposed. Upon a second felony conviction, the offender shall be eligible for parole upon serving 33.3% of the sentence imposed. A person convicted of a third or subsequent felony offense shall not be eligible for parole.

EXPENDITURES	2011-12	2012-13	2013-14	2014-15	2015-16	5 -YEAR TOTAL
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2011-12	2012-13	2013-14	2014-15	2015-16	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation may result in a decrease in state general fund expenditures since offenders would serve less of their imposed sentence if they become eligible and are released on parole supervision. The exact fiscal impact of this bill is indeterminable since it is not known how many defendants will be incarcerated for 1st and 2nd convictions and how long each offender’s imposed sentence will be. However, for each day an offender is under parole supervision and not housed in a state or local facility, the state will recognize a savings of \$21.86 (\$24.39 per day - \$2.53 parole supervision per day) per day in a local facility and \$53.25 (\$55.78 per day - \$2.53 parole supervision per day) per day in a state facility. The savings recognized by the state for each year an offender is not housed in a local facility is \$7,979 (\$21.86 per day savings x 365 days) and \$19,436 (\$53.25 per day savings x 365 days) in a state facility. Currently, the Department of Corrections houses 50% of state offenders at the local level and 50% at the state level.

According to the Department of Corrections, in 2010 there were a total of 8,330 offenders admitted to DOC custody for 1st and 2nd convictions for crimes committed, except those involving violence, sex offenses, or offenders that are habitual offenders. For 1st convictions, 4,243 offenders were admitted with an average imposed sentence of 3.55 years and there were 4,087 offenders admitted for 2nd convictions with an average imposed sentence of 4.34 years.

In FY 10, the Parole Board conducted 2,278 parole hearings and granted 634 paroles, a parole granting rate of 28%. To the extent 28% of offenders admitted for each conviction are granted parole, 1,188 (4,243 1st conviction offenders x 28% parole granting) 1st conviction offenders would serve 25% of the imposed sentence and 1,144 (4,087 2nd conviction offenders x 28% parole granting) 2nd conviction offenders would serve 33.3% of the imposed sentence.

REVENUE EXPLANATION

The proposed legislation may result in an increase in self-generated revenue. Each offender that is released on parole would be required to pay the monthly parole fee of \$53, or \$636 per year. Currently, Probation and Parole collects 50% of parole fees.

Senate	Dual Referral Rules	House	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}	<i>Evan Brasseaux</i>
		<input type="checkbox"/> 6.8(F)2 >= \$100,000 Annual SGF Cost {H&S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	Evan Brasseaux Staff Director